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26 **IN THE UNITED STATES BANKRUPTCY COURT**
 27 **FOR THE DISTRICT OF NEVADA**

28
 1 In re:
 2
 3 INFINITY CAPITAL MANAGEMENT,
 4 INC.
 5
 6 Debtor.

7 Case No. 21-14486-abl
 8 Chapter 7

9 Adversary Case No. 21-01167-abl

10 **STIPULATION TO EXTEND**
 11 **DISCOVERY DEADLINES**
 12 **(FIFTH REQUEST)**

13 Pretrial Conference
 14 Date: August 8, 2023
 15 Time: 10:30 a.m.

16 Trial
 17 Dates: August 24, 25, 28, 29, and 31, 2023
 18 Time: 9:30 a.m.

19
 20 HASELECT-MEDICAL RECEIVABLES
 21 LITIGATION FINANCE FUND
 22 INTERNATIONAL SP,
 23
 24 Plaintiff,
 25
 26 v.
 27
 28 TECUMSEH-INFINITY MEDICAL
 29 RECEIVABLES FUND, LP,

30
 31 Defendant.

1 TECUMSEH-INFINITY MEDICAL
2 RECEIVABLES FUND, LP,

3 Counter-Claimant,

4 v.

5 HASELECT-MEDICAL RECEIVABLES
6 LITIGATION FINANCE FUND
7 INTERNATIONAL SP,

8 Counter-Defendant.

9 HASELECT-MEDICAL RECEIVABLES
10 LITIGATION FINANCE FUND
11 INTERNATIONAL SP,

12 Counter-Claimant

13 v.

14 TECUMSEH-INFINITY MEDICAL
15 RECEIVABLES FUND, LP,

16 Counter-Defendant.

17 **STIPULATION TO EXTEND DISCOVERY DEADLINES (FIFTH REQUEST)**

18 Tecumseh-Infinity Medical Receivables Fund, LP (“Tecumseh”), by and through its
19 undersigned counsel, and HASelect-Medical Receivables Litigation Finance Fund International SP
20 (“HASelect”), by and through its undersigned counsel (each a “Party” and, collectively, the
21 “Parties”), hereby agree and stipulate, pursuant to Local Rule 7026, to extend discovery deadlines
22 as follows:

23 **A. Discovery Completed**

24 The following discovery has been completed:

25 1. On or about January 12, 2022, HASelect served a subpoena on nonparty Three Bell
26 Capital.

27 2. On or about January 12, 2022, HASelect served a subpoena on nonparty Jonathan
28 Porter.

1 3. On or about January 17, 2022, Tecumseh served its Initial Disclosures pursuant to
2 FRCP 26 on HASelect.

3 4. On or about January 18, 2022, HASelect served its Initial Disclosures pursuant to
4 FRCP 26 on Tecumseh.

5 5. On or about March 10, 2022, HASelect served its First Set of Interrogatories and
6 Requests for Production on Tecumseh.

7 6. On or about March 29, 2022, Tecumseh served its First Set of Requests for
8 Production on HASelect.

9 7. On or about April 18, 2022, Tecumseh served its Responses to HASelect's First Set
10 of Interrogatories and Requests for Production.

11 8. On or about May 18, 2022, HASelect served its Responses to Tecumseh's First Set
12 of Requests for Production.

13 9. On or about August 29, 2022, Tecumseh served its First Set of Interrogatories and
14 Requests for Admission as well as its Second Set of Requests for Production on HASelect.

15 10. On or about September 9, 2022, HASelect served its deposition notice for the
16 deposition of Tecumseh.

17 11. On or about September 9, 2022, HASelect served deposition subpoenas on various
18 nonparties.

19 12. On or about September 28, 2022, HASelect served its Responses to Tecumseh's First
20 Set of Interrogatories and Requests for Admission as well as its Second Set of Requests for
21 Production.

22 13. On or about November 28, 2022, Tecumseh served its Third Set of Requests for
23 Production on HASelect.

24 14. On or about December 2, 2022, Tecumseh served its Subpoena to Produce
25 Documents to GPMicro, Inc.

26 15. On or about December 28, 2022, HASelect served deposition subpoenas on various
27 nonparties.

28 16. On or about December 28, 2022, HASelect served its Responses to Tecumseh's Third

1 Set of Request for Production.

2 17. On or about January 5, 2023, Tecumseh served deposition subpoenas on HASelect
3 and other various nonparties.

4 18. On or about February 16, 2023, HASelect served its First Supplemental Response to
5 Tecumseh's Third Set of Requests for Production and First Supplemental Disclosures.

6 19. On or about February 17, 2023, Tecumseh served its First Supplemental Disclosures.

7 20. On or about March 14, 2023, Tecumseh served its Second Supplemental Disclosures.

8 21. On or about April 12, 2023, Tecumseh served its Third Supplemental Disclosures.

9 22. The depositions of Oliver Hemmers and Anne Pantelas, principals for the debtors,
10 were held on May 5, 2023, and May 10, 2023.

11 23. On or about June 15, 2023, Tecumseh served its Fourth Supplemental Disclosures.

12 24. On or about June 30, 2023, HASelect served its Second Supplemental Disclosures.

13 **B. Discovery Remaining**

14 Discovery in this case has been ongoing and additional discovery remains to be completed,
15 including, but not limited to:

16 1. Depositions of each party or the party's representative(s);

17 2. Depositions of various third parties; and

18 3. Supplementation of prior written discovery;

19 The Parties reserve their right to take additional depositions based on information disclosed
20 in produced documents or obtained in the depositions the Parties have identified.

21 **C. Reasons Why Discovery Will Not Be Completed Within the Time Limit of the Existing
22 Deadlines**

23 This case is complex and involves thousands of accounts receivable purchased from more
24 than 100 different medical providers. While this Court has already ruled on some of the issues
25 regarding a subset of the accounts receivable at issue, other accounts receivable remain that require
26 further discovery and analysis. The Parties have worked diligently by engaging in discovery from
27 the outset of this case, but the extent of the documents produced in this matter are voluminous and
28 require additional time for review. In fact, the parties have only recently exchanged tens of

1 thousands of additional documents requiring review and analysis. Further, the parties have worked
 2 extensively to schedule third party depositions that are critical to the claims and defenses of this
 3 case; however, scheduling those depositions has been difficult. Those depositions are now scheduled
 4 to proceed at the end of July 2023. As a result, the party depositions, which have been noticed, will
 5 need to be pushed back.

6 The Parties believe that, given the situation as it presently exists, discovery cannot be
 7 accomplished by the represented deadlines in the Order Granting the Parties' Stipulation to Extend
 8 Discovery Deadlines (Third Request) on file herein [ECF No. 175]. This fourth stipulation to extend
 9 the existing discovery deadlines is brought in good faith and not for the purpose of delay. Based on
 10 the information presented in this Stipulation, the Parties believe that good cause exists to extend
 11 discovery as proposed in order to permit the Parties to ensure that discovery is conducted in a
 12 thorough manner.

13 **D. Proposed Agreement and Amended Discovery Schedule**

14 Based on the foregoing, and other good valuable consideration, the receipt and sufficiency
 15 of which are acknowledged, the Parties stipulate and agree as follows, subject only to entry of the
 16 proposed order by this court approving this Stipulation, substantially in the form attached hereto
 17 as **Exhibit A**:

18 1. The Parties agree to extend the discovery deadlines as follows:

Event Deadline	Current Date	Proposed Date
Close of Fact Discovery	6/30/2023	7/31/2023
Dispositive Motion Deadline	8/1/2023	8/1/2023
Trial Statement	7/7/2023	8/15/2023
Final List of Witnesses and Exhibits	8/15/2023	8/15/2023
Expected trial ready date	8/24/2023	8/24/2023

26 2. The extension of discovery deadlines requested herein will not require a continuance
 27 of this trial date, therefore, the pretrial conference is set for August 8, 2023, at 10:30 a.m., and the
 28 five-day trial is scheduled for August 24, 25, 28, 29, and 31, 2023, at 9:30 a.m. in the Foley Federal

1 Building and United States Courthouse, 300 Las Vegas Boulevard South, Las Vegas, Nevada,
2 89101, Third Floor, Courtroom #1.

3 **IT IS SO STIPULATED.**

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